IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 13TH SEPTEMBER 2007 / 22ND BHADRA 1929

WP(C).No. 27278 of 2007(V)

PETITIONER:

A.J.SIMON, AGED 50 YEARS,S/O.LATE
E.C.JOHN,AGASALAYIL HOUSE, KEEZHOR P.O.,
THALAYOLAPARAMBU, KOTTAYAM DISTRICT.

BY ADV. SRI.C.C.THOMAS

RESPONDENTS:
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1. THE ADDL. SALES TAX OFFICER,
VAIKOM,KOTTAYAM DISTRICT.

2. THE TAHSILDAR,
VAIKOM,KOTTAYAM DISTRICT.

3. THE DEPUTY TAHSILDAR (RR)
VAIKOM,KOTTAYAM DISTRICT.

4. THE REVENUE DIVISIONAL OFFICER,
PALA KOTTAYAM DISTRICT.

5. THE DISTRICT COLLECTOR,
KOTTAYAM.

BY G.P. SRI. SREEKRISHNA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 27278 OF 2007

Dated this the 13th day of September, 2007

JUDGMENT

Since sale made in recovery proceedings is not confirmed and petitioner has filed Ext. P8 petition under Section 52 and 53 of the RR Act before the fourth respondent, and in view of the case of the petitioner that liability stands reduced pursuant to order in appeal, W.P. is disposed of directing the fourth respondent to pass orders on the petitioner's application before confirmation of sale. First respondent is directed to file a revised statement showing the balance liability due from the petitioner based on orders in appeal before the fourth respondent for him to consider petitioner's application.

(C.N.RAMACHANDRAN NAIR)
Judge